UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RODOLFO HERRERA-MENA,

Petitioner,

v.

MICHAEL CHERTOFF, et al.,

Respondents.

Civil No. 08cv0481-J (LSP)

ORDER DENYING IN FORMA PAUPERIS APPLICATION AS MOOT

Petitioner, a Department of Homeland Security detainee proceeding pro se, has paid the $5.00 filing fee and has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner has attached a request to proceed in forma pauperis to the Petition. The Court **DENIES** the request to proceed in forma pauperis as moot because Petition has paid the filing fee. The Court will consider the financial information provided in support of the motion to proceed in forma pauperis when ruling on the motion for appointment of counsel.

IT IS SO ORDERED.

DATED: May 9, 2008

HON. NAPOLEON A. JONES, JR.
United States District Judge

cc: All Parties